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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

UNITED STATES OF AMERICA,)	Case No. CR-18-00258-EJD
)	
Plaintiff,)	[PROPOSED] ORDER GRANTING MOTION
)	TO DISMISS IN PART COUNTS TWO AND
v.)	NINE THROUGH ELEVEN OF SECOND
)	SUPERSEDING INDICTMENT AND COUNTS
ELIZABETH HOLMES and)	TWO AND NINE THROUGH TWELVE OF
RAMESH "SUNNY" BALWANI,)	THIRD SUPERSEDING INDICTMENT
)	
Defendants.)	Hon. Edward J. Davila
)	
)	
)	
)	

**[PROPOSED] ORDER GRANTING MOTION TO DISMISS IN PART COUNTS TWO AND NINE
THROUGH ELEVEN OF SECOND SUPERSEDING INDICTMENT AND COUNTS TWO AND NINE
THROUGH TWELVE OF THIRD SUPERSEDING INDICTMENT
CR-18-00258-EJD**

1 This **CAUSE** having come before the Court upon Defendant Elizabeth A. Holmes' Motion to
2 Dismiss In Part Counts Two and Nine through Eleven of the Second Superseding Indictment and Counts
3 Two and Nine through Twelve of the Third Superseding Indictment. After due consideration of the
4 filings, the governing law, and the argument of the parties:

5 **IT IS HEREBY ORDERED** that Ms. Holmes' motion is **GRANTED**, and that Counts Two
6 and Nine through Eleven of the Second Superseding Indictment and Counts Two and Nine through
7 Twelve of the Third Superseding Indictment are **DISMISSED** insofar as they allege a scheme to
8 defraud and/or deceive doctors.

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10 **IT IS SO ORDERED.**

11
12 Dated: _____

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14 _____
15 Hon. Edward J. Davila
16 United States District Judge
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27 [PROPOSED] ORDER GRANTING MOTION TO DISMISS IN PART COUNTS TWO AND NINE
28 THROUGH ELEVEN OF SECOND SUPERSEDING INDICTMENT AND COUNTS TWO AND NINE
THROUGH TWELVE OF THIRD SUPERSEDING INDICTMENT
CR-18-00258 EJD